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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|---------------------|------------------|
| 10/502,474 | 07/23/2004 | Takashi Yasukochi | KU/Z-0019 | 4108 |
| 7590 | 03/25/2005 | | EXAMINER | |
| Licata & Tyrrell 66 E. Main Street Marlton, NJ 08053 | | | CHOI, LING SIU | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1713 | |
| DATE MAILED: 03/25/2005 | | | | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|-------------------------------|----------------------------------|--|
| Office Action Summary | Application No. 10/502,474 | Applicant(s) YASUKOCHI ET AL. | |
| | Examiner Ling-Siu Choi | Art Unit 1713 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 July 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>07/23/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-7 are now pending, wherein claims 1-4 are drawn to an adhesive; claims 5-7 are drawn to a patch.

Claim Objections

2. Claims 1-7 are objected to because of the following informalities: **claim 1**, lines 2-4, “one or more kinds of acrylic or methacrylic monomer unit, at least one of the kinds of monomer unit having a hydroxy group, and the polymer” is suggested to be changed to --**at least one of the kinds of acrylic or methacrylic monomer unit and at least one of the kinds of monomer unit having a hydroxy group, the polymer**--. See page 7 of the Specification, lines 20-22.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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4. Claims 1-7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsubota et al. (US 5,049,417).

| An adhesive | |
|--|--|
| a polymer | one or more kinds of acrylic or methacrylic monomer unit |
| | one or more kinds of monomer unit having a hydroxy group |
| wherein the polymer is crosslinked by a boron-containing compound | |

(summary of claim 1)

Tsubota et al. disclose an acrylic adhesive which is obtained from the copolymerization of 2-ethylhexyl acrylate, ethyl acrylate, N-vinyl-2-pyrrolidone, **acrylic acid**, and 2-**hydroxyethyl acrylic acid** (Examples 4-7 and 9). Tsubota et al. further disclose that “[f]or the adhesives having hydroxy groups such as 2-hydroxyethyl methacrylate, the following compounds are useful as crosslinking agents:....**boric acid**...”(col. 11, lines 21-32). Tsubota et al. furthermore disclose that the acrylic adhesive is applied to make an adhesive plaster used in the medical field (col. 1, lines 12-21). It is noted that the water containing a crosslinking agent is applied onto the adhesive layer for crosslinking adhesive material (col. 6, lines 33-51). The amount of water left on the adhesive plaster would be trace, which reads on “substantially no water.” Thus, the present claims are anticipated by the disclosure of Tsubota et al.

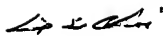
Conclusion

5. Any inquiry concerning this communication or earlier communications from the

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examiner should be directed to Ling-Siu Choi whose telephone number is 571-272-1098.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu, can be reach on 571-272-1114.



LING-SUI CHOI
PRIMARY EXAMINER

March 15, 2005